

REMARKS

Reconsideration and allowance of the above referenced application are respectfully requested.

Initially, Claim 1 is amended to include the limitations of Claim 3 therein, and Claims 2 and 3 are canceled.

The previous Claim 3 was rejected under 35 USC §102(e) as allegedly being anticipated by Runge. This contention is respectfully traversed, on a number of different grounds. On a most basic level, the rejection characterizes Runge as being a toy, while in fact Runge was never suggested to be a toy. Runge is disclosed as being a display device.

In addition, Runge specifically states and teaches that the outer perimeter forming the frame is closed. While paragraph 131 teaches that the frame may be intermittent, in fact paragraph 30 explains that the intermittent must refer to something else (maybe ornamentations in the frame?), since it states that the display device "has no openings in its assembled state". This is entirely consistent with the different applications of the display element, for use in wet locations, see paragraph 85, and for use inside aquariums, see paragraph 106. There is no teaching or suggestion of the subject matter of Claim 1 where the second lip surface extends "only around a

portion of the perimeter and defines an openable portion at a first area". This feature, in fact, is not shown by Runge.

Claim 1 also requires that there is at least "one surface adapted for teething by an infant". Many applications for Runge are suggested throughout the Runge disclosure, especially those suggested at paragraphs 103-115. However, none of them teach or suggest using this as a teething toy. As explained in the specification, the use of this system as a teething toy may produce the advantage of allowing an infant to associate the teething with the picture, and thereby add a new dimension to the toy.

Claim 1 should hence be allowable along with the claims that depend therefrom.

Claim 10 defines placing a picture between first and second sheets, and placing the first and second sheets within lip surfaces defining a perimeter. Claim 10 further defines that the frame "forming a teething device for a child". As explained above, there is no teaching or suggestion in Runge of using this system in a teething device for a child. Many different applications for this device are described in paragraphs 104-114, but none of these applications suggest anything about a teething device for a child. Claim 10 should hence define a completely unexpected application, and is hence completely patentable over the cited prior art.

The claims which depend from Claim 10 should be allowable for similar reasons to those discussed above with respect to Claim 10, as well as on their own merits.

Claim 16 should be allowable for similar reasons, as it defines a housing portion adapted to hold the picture, and having an outer surface with a plurality of bumps thereon. The rejection rejects this claim based on Runge in view of Herbst. However, with all due respect, a person having ordinary skill in the art would not make the hypothetical combination of Runge in view of Herbst. The idea of putting a picture inside of a baby teething element is entirely new, and entirely conceived by the present inventor. The very idea to make the combination comes from the teaching of the present invention, not from anything in the prior art. There is no teaching or suggestion in the prior art of a display device combined with the infant teething portion.

It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed.

Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Applicant asks that all claims be allowed. No fee is believed to be due, however please apply any applicable charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

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Scott C. Harris
Reg. No. 32,030

Fish & Richardson P.C.
PTO Customer No. 20985
12390 El Camino Real
San Diego, California 92130
(858) 678-5070 telephone
(858) 678-5099 facsimile

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